



DRAFT
WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO

2001 Assembly Bill 191

**Assembly
Amendment 1**

Memo published: March 16, 2001

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Current law provides that a patient has a legal privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made or information obtained or disseminated for purposes of diagnosis or treatment of the patient's physical, mental or emotional condition. This privilege currently applies to communications between a patient and his or her physician, registered nurse, chiropractor, psychologist, social worker, marriage and family therapist, professional counselor, or persons, including members of the patient's family who participate in the diagnosis or treatment under the direction of one of these professionals. This privilege does not apply to proceedings involving abused children, protective services or homicide.

2001 Assembly Bill 191 expands this privilege to include communications and information regarding a patient that are reviewed by a health care services review organization. The bill defines a health care services review organization as an organization that reviews the health care provided to a patient in a hospital to determine if the health care services provided to that patient were appropriate, complete, and necessary.

Assembly Amendment 1 alters the definition of health care review organization to reflect the more general current statutory notion of such organizations under s. 146.37 (1g), Stats. The amendment defines a health care services review organization as an organization that participates in the review or evaluation of the services of health care providers or facilities or the charges for such services conducted in connection with any program organized and operated to help improve the quality of health care, to avoid improper utilization of the services of health care providers or facilities or to determine the reasonable charges for such services or that participates in the obtaining of health care information under ch. 153, Stats.

Assembly Amendment 1 was recommended by the Assembly by a vote of Ayes, __, Noes __, on March __, 2001.

DWS:tlu:rv;jal